

**IN THE UNITED STATES DISTRICT COURT**

## FOR THE DISTRICT OF ARIZONA

IN RE BARD IVC FILTERS  
PRODUCTS LIABILITY LITIGATION

No. MD-15-02641-PHX-DGC

# **MASTER SHORT FORM COMPLAINT FOR DAMAGES FOR INDIVIDUAL CLAIMS**

Plaintiff(s) named below, for their Complaint against Defendants named below,

incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc.365).

Plaintiff(s) further show the Court as follows:

1. Plaintiff/Deceased Party:

# VaRawn Pickney

2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of consortium claim:

3. Other Plaintiff and capacity (i.e., administrator, executor, guardian, conservator):

4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of implant:

## Florida

5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of injury:

## Florida

6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:

## Florida

7. District Court and Division in which venue would be proper absent direct filing:

Southern District of Florida

8. Defendants (check Defendants against whom Complaint is made):

X C.R. Bard Inc.

X Bard Peripheral Vascular, Inc.

## 9. Basis of Jurisdiction:

## X Diversity of Citizenship

Other:

a. Other allegations of jurisdiction and venue not expressed in Master  
Complaint:

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Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a claim (Check applicable Inferior Vena Cava Filter(s)):

□ Recovery® Vena Cava Filter

## X G2® Vena Cava Filter

- G2® Express (G2®X) Vena Cava Filter
- Eclipse® Vena Cava Filter
- Meridian® Vena Cava Filter
- Denali® Vena Cava Filter
- Other:

11. Date of Implantation as to each product:

September 16, 2015

12. Counts in the Master Complaint brought by Plaintiff(s):

- X Count I: Strict Products Liability – Manufacturing Defect
- X Count II: Strict Products Liability – Information Defect (Failure to Warn)
- X Count III: Strict Products Liability – Design Defect
- X Count IV: Negligence - Design
- X Count V: Negligence - Manufacture
- X Count VI: Negligence – Failure to Recall/Retrofit
- X Count VII: Negligence – Failure to Warn
- X Count VIII: Negligent Misrepresentation
- X Count IX: Negligence *Per Se*
- X Count X: Breach of Express Warranty
- X Count XI: Breach of Implied Warranty
- X Count XII: Fraudulent Misrepresentation

Count XIII: Fraudulent Concealment

Count XIV: Violations of Applicable Indiana (insert state) Law Prohibiting Consumer Fraud and Unfair and Deceptive Trade Practices

Count XV: Loss of Consortium

Count XVI: Wrongful Death

Count XVII: Survival

Punitive Damages

Other(s): \_\_\_\_\_ (please state the facts supporting this Count in the space immediately below)

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RESPECTFULLY SUBMITTED this 25th day of March 2019.

**PERDUE & KIDD**

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**ATTORNEYS FOR PLAINTIFF**

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